

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No. 3:17-CV-00474-FDW-DSC

NILOUFAR SANIRI,

Plaintiff,

v.

CHRISTENBURY EYE CENTER, P.A.,  
JONATHAN CHRISTENBURY M.D., and  
ELLIE PENA-BENARROCH,

Defendants.

**ORDER**

**THIS MATTER** is before the Court on Plaintiff's counsel's "Motion to Modify the Amended Consent Protective Order" (document #91).

This case settled and is now closed. See documents ##85 and 93. Prior to filing the Stipulation of Dismissal, Plaintiff's counsel filed this Motion seeking to modify the Amended Protective Order (document #82).

Counsel moves the Court to modify the Amended Protective Order to (1) permit her to retain confidential documents produced by Defendants that paragraph eight of the Order would otherwise require her to destroy or return "because it will promote judicial efficiency in counsel's pursuit of related matters against Dr. Jonathan Christenbury ("Christenbury") and Christenbury Eye Center P.A. ("CEC")"; and (2) produce documents that are responsive to the Bankruptcy Trustee's Subpoena served on her related to bankruptcy petitions filed by Christenbury and CEC, In re Jonathan David Christenbury, Case No. 18-30058 and In re Christenbury Eye Center P.A., Case No. 18-31233.

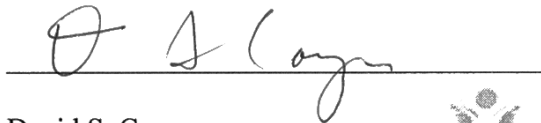
The Court has carefully reviewed the Motion and record, including the subject Subpoena. For the reasons stated in Plaintiff's counsel's Motion and briefs, the Court concludes that she must

produce all documents responsive to the Subpoena. Accordingly, the Motion is granted in part and the Amended Protective Order (document #82) is modified to permit Plaintiff's counsel to produce all documents in her possession, custody or control that are responsive to the Subpoena.

For the reasons stated in Defendants' briefs, however, the Motion is denied in all other respects. Once Plaintiff's counsel has complied with the Subpoena, all terms of the Amended Protective Order (document #82) shall remain in full force and effect, including paragraph eight which requires Plaintiff and her counsel to return or certify as destroyed all confidential information produced to them in this litigation.

**SO ORDERED.**

Signed: October 18, 2018

A handwritten signature in cursive script, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer  
United States Magistrate Judge

